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"AN EYE FOR AN EYE"

OR

The Fiend and the Fagot.

PRICE 25 CENTS.



THE BABY

FOR THE MURDER OF WHICH

Henry Smith

Was Burned at the Stake
February 1st, 1893.

Illustrated and graphically related by an
Eye Witness.

"Dies irae, dies non."

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PARIS, TEXAS.

"AN EYE FOR AN EYE"

—OR—

The Fiend and the Fagot.

rs,

An Unvarnished Account of the Burning of Henry
Smith at Paris, Texas, February 1, 1893,
and the Reason he was Tortured.

FACTS WHICH WE WOULD WERE FICTION

BY
J. M. EARLY

AN EYE-WITNESS.

To every Father and Mother, in all the Earth, who
can say to Those who Executed the Mur-
derer of Little Myrtle Vance,

"WELL DONE, THOU GOOD AND FAITHFUL SERVANT!"

The Author dedicates this little Book.

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CHAPTER FIRST.

SLAVERY DID NOT DEGRADE THE SUBJECT OF THIS
CHAPTER.

Hell's dunnest gloom, or night unlusterous, dark,
Of every planet 'reft, and pall'd in clouds,
Did never spread before the sight a veil
In thickness like that fog, nor to the sense
So palpable and gross.—DANTE.

If thou doubt me, mark the blade: each herb
is judged of its seed.—IBID.

Let the muse attend our song though harsh it may
be, and told in "some of the unpleasentest words that
ever blotted paper."

A being had better never be born than in just punishment for a deed so dark and diabolical, so terrible that it outraged and enraged all the world unto justifying a moiety of the earth to execute him by the extremest engine of execution known to savage or civilized man—fire.

The deed, the crime committed by Henry Smith, the subject of this chapter was so infernal and revolting that it shivered, as a thin crystal, the nineteen hundred years enameling of civilization: provided it be set up as a hypothesis that the stake and fagot is only used in capital punishment by savages.

Be that as it may—some Compte or Comb can settle this hereafter—the people of Paris and Lamar county

Texas, some twenty thousand, assisted by a goodly number from other sister states east and west, north and south, on the FIRST DAY of FEBRUARY 1893, made fast to a stake and burned to cinders one Henry Smith—a negro—for———well, in the coming pages of this history the whole story will be told. The crime will so freeze you that only the flames in which the criminal was burned could ever warm your blood to run again.

We have been taught in these modern times, which times reach back through a century or more, by religious zealots and sentimental philosophers that, the death punishment assessed *in cold blood* by a jury of twelve men should be brought about in the least painful way known to the science of dissolving the life and the body.

The criminal may torture his victim as his fiendish instincts may prompt him, but when he is apprehended and called to answer for his crime sentimentality steps up and says: "Poor fellow creature he must die, because it is so in the bond, but we must not shed one drop of blood in executing him."

The rope, the guillotine, the maiden, the toned down thunderbolt have been sought out to kill with in order that the least possible pain may be had in the act.

Guiteau, who killed President Garfield, tortured a good and a great man to death. He did it for a mean revenge, the revenge of a dastard. For the crime which perhaps deserved more rigor in the answering for at the hands of the nation, Guiteau was heroized by a public and speedy trial in a temple of justice and the

least painful manner of execution—the gallows.

There are many other instances like the above, but not so prominent, and the manner in which the offenders have paid a minimum of the penalty has abused that line which enjoins: “If smitten upon one cheek turn the other.” It will lead perhaps to prostrating oneself to his abuser and taking a bastinadoing.

It hath come to this.

It would lead further.

The law abiding man, the affectionate husband and father, or the mother must come sooner or later to the couch of death, surrounded by friends and family. It is painful to die thus.

Overstrained, abnormal sentimentality leads to translating into heaven or hell without intermediate or mundane pain: aye even those, or that one rather whose crime hath not a name, but is the act of ravishing a babe to death.

Well, the pendulum of sentimentality—call it philosophy if you will—has swung quite to the extreme in this way. It must go back, when scourged back by heartless stalking crime.

Let us roll back the car, as it is said we did do when Smith was burnt at the stake in broad day without masque: when unglorious night stood upon the one hand in the east, and upon the other hand in the west—at noonday.

Let us try what virtue there is in fire.

It is a fiendish act of a lost and most depraved monster which incites the hue and cry and culminates in the mob. It is indeed! It must be fell—infernal,

when ye read that ten or twenty thousand who never before sullied their statute, turn out, hunt down, capture, make fast to a stake and burn the fell offender to death! adding thereto a few strokes of the refinements of torture. This is true.

Since the bigotry of priests, and the diabolism of misconceived ritual rights have been restrained by law, born of reason, which makes man akin to Deity, there has been a renunciation of the fire ordeal, and scarce a being in a hundred years becomes a martyr at the stake. None by process of law.

Medieval law, when the miter bulldozed the crown and the lamp of the mind was darkened by the zeal of the cowl, the stake and fagot were popular engines of execution.

They were perhaps, in every case too severe. Men were burnt for opinions sake: women because they were old and ugly—the first qualifications of witchcraft.

The world has been asking for two hundred years: What crime could one do now against the peace and dignity of the state for which a unanimous verdict could be got to say: "The stake and the fagot?"

It has been committed.

It has been punished.

It would be heinous crime indeed, did it enrage a people of letters, of undisputed morality, or social refinements, to go in the very shadows of the churches to which they belonged, stake the offender and burn him as did the people of Paris, who executed Henry Smith by fire.

Why, we have been told, these times of peace and prosperity, and when the Gospels have been preached in every corner of the earth, foreshadow the Millennium, and any sort of taking life for life makes men grow sick.

The lamb and lion will not lie down upon autumn's embrowned rug in the same sunny spot so long as Guiteau's are born and rapists get a chance to *profess* and offer their husk to God.

Then, what do these stalking, unblushing, incarnate crimes foreshadow? That the thousand years in which his Satanic majesty was to be chained is out, and that through the scoria of Hell he no longer drags his chain, but roams the earth with fell intention to make up for lost time?

* * *

In olden times, nearer perhaps the Garden of Eden than the now is the Millennium, upon fiery altars in the temples of Vishnu human beings were roasted alive for sacrificial purposes. Many a gala day had they in India when they cremated according to the rituals of Puranas the seven or nine suttees (wives) of some defunct Hindoo lord. A man or a woman burnt to Vishnu, or the vine scorched for Indra, was matter, about the same, when Deity's voice was heard in the wind, and in the stars his radiance seen.

That was before science so divorced man, puny thing—from Him whose footprints are traced in the milky way: whose breathing upon the unfolding rose is visible.

Why so much ado now, unless indeed it is to give

veiled hypocrisy a chance to show its ashen elongated face.

We have offered a fiend to justice through the fire. The Hebrews sacrificed their children to Moloch, and the Hindoos to Kalee. What a howl some people not knowing the reasons, have made about this matter. Shall it be said with truth we mourn a lap dog, and feel horrified at avenging outrages upon babies? Is not the Heaven as fair, and does not the sky bend as purple over the great domain of Texas as it did and does over the plains and hills of Indus? Upon what sort of meat has he fed, who shall say to us, who have uprooted the stumps, and transposed the forests into fields that bloom as the the gardens of Gul in our own country, that we shall not be our own gymnosophs, and either walk into the fire ourselves and say to his Alexandership: "We will proceed thee to Babylon?"

Further than the lights of Kerman and Farz, further still than the coruscations of Demavend on Elburtz's peak over Oman's sea in which the last of Iran's avengers embraced the flames, hath risen the flame and smoke in which perished a swarthy fiend at the hands of the people of Texas in their vain attempt to have "an eye for an eye."

The subject of this chapter claimed to be a negro. Notice the verb in the past tense. If he could have risen from his ashes he might now be a Phoenix, or more likely a Sphinx.

He had not been born a slave. He was born a free-man at Little Rock, Arkansas. Abraham Lincoln and a few other good men must be conceded the glory of

the emancipation of his race—his father and mother—else he would have come into this world a bondsman.

This fellow had 27 years (which number of years was his age) of freedom. Yet, he was a slave to crime. He had the environments of civilization; yet, he was not the peer of a savage—of religion; yet, he proved to be the chiefest of sinners. The schools of the country for his color were open to him without price, yet he was illiterate. In these he might have trimmed the dark lamp of his mind which would have guided his feet from the ways that led to the stake and fagot.

Bondage and inhuman treatment had not (as is the false hypothesis of some) dragged down from a higher plane of life and thought his ancestral line, thereby enstamping upon him the curse of degradation. Comte, in his positive philosophy, accepting of cannibalism as a condition of barbarism, maintains that the greatest step in human civilization was the invention of slavery.

Is not this true of the American Sambo?

Degraded upon African sands; still dragging the chain of earth's first fugitive; if that story be true. His original country, now, after centuries of enlightenment, in all the world elsewhere is known as the Dark Continent. Rich in virgin soil, yet untilled. Rich in timber and stone, yet the natural beauty of the groves is marred by hovels of rushweeds and turf. No written tongue. No chieftain star in the galaxy of arms. No states, nor statutory laws, consequently no statesman, living or dead. No one of the race having aspired to,

much less achieved the science of law or philosophy. In religion he is a borrower, and has evolved no ethics with which to pay back. In letters, art, oratory, in all, save primeval darkness and degradation, there is nothing to which he can lay claim.

In this condition he was engrafted upon the American continent as a slave. By nature he was uncouth and illy shaped physically, the mark of his benighted mind. Had he ambition? None in Africa, none in America. For the lack of this evolving spirit to say: come up, or go up, aspire, elevate, be more than "dumb driven cattle," the whip in the greedy hand of the master was subserviant. Associated with his superiors in race as a bondsman may associate with his master, he was coerced up. His eye was taught harmonies in perspective, his ear in sounds, his palate to appreciate cooked food, his latent self-pride to wear clothing. All these were civilizing. They awakened a feeble yet higher aspiration than is known to-day in any part of the Soudan. In these hundreds of years there has been a complete transmogrification except in the coloring of the epidermis. "Can the leopard change his spots, or the Ethiopian his skin?" I quote from hearsay; I have not time to look it up.

From a handful of these degraded people brought as slaves to our Yankee shores, who found them unprofitable and sold them South, six millions have sprung and are among us to-day. Not here by right of conquest, but by a superior right which the fields spreading from the Atlantic to the Pacific declare.

As the wood hewer and water drawer, or as Marius'

mule was to Rome, the negro has been to America. Our gain has been mutual. Their labor made us rich and so enervated us that we permitted them to bask in the sunshine at our feet. From an ugly uncouth people they have developed a people of fine physique, and minds capable of a high degree of learning. Their morals are good—over zealous in religion; but not more so than the Caucasian upon the same mental plane.

Twenty-five years of the school room door thrown open to them has had a wonderful effect, I think in a good direction. Since their emancipation they have transcended all expectation. Yesterday, and for centuries a slave. To-day free, poor, without money absolutely, without food and raiment partially, without a foot of land upon which they could build a shelter for themselves and children, though the houses in which they lived were the fruits of their labor, their sweat, their blood. The alphabet to them had no meaning; illiterate, with the back of every man's hand against them. (I mean that of his emancipators and that of those from whom he was emancipated, and the former more severely than the latter.)

Everywhere he turned his eyes he saw the industrial output of his hands, but he was as one in a wilderness. What did he do to show his gratitude to those who made him free by kicking him out of bondage? He came up to the big house in which sulked his former master as one who had met upon the highway a robber and had been left his life and not his purse, and "begged leave to till the soil" from which he had up-

rooted the stumps and drew a cordon of rails around, so that he might not starve while he paid unto Caesar that which was Sambo's. Yet he did it without a murmur, he was never known to murmur, and to be candid, the truth constrains me to acknowledge without fear of being charged with disrespect to self, that these people have exceeded in industry, thrift, integrity, virtue, learning, etc., through the whole category which goes to elevate a people, the world's expectation. In politics, in commerce, in agriculture he and his former master can and do meet upon the same footing, intellectual advantages and disadvantages waived. Socially, He who made the leopard spotted and the lion spotless, or less poetically expressed, the African black and the Caucasian white, drew the line from alpha to omega, over which the one will never go, and the other can never come.

It is by his sweat the table groans with the good things edible out of earth, yet the negro eats the crumbs that fall therefrom without a murmur.



CHAPTER SECOND.

OF MYRTLE'S BIRTH AND DEATH.

O beautiful, awful summer day,
What hast thou given, what taken away?
Life and death, and love and hate,
Home made happy or desolate,
Hearts made sad or gay.

—LONGFELLOW.

If there is anything for which I have a weakness, it is children. My own first, then all men's next.—SELF.

Myrtle Vance, the sole subject of this chapter, has become the child of every humane heart by adoption. It is a name which illest fate has given to all time.

Innocence confronting crime;
Day confronting night;
Heaven, and the opposite—hell.

We will say the now is matutinal time. We see as with prophetic eye when time is old the doctors of law pointing back to this child, its unparalleled fate, and the manner in which its destroyer was punished to death, in justification for extreme punishment for extreme crime.

I hear one say: "It was Divinity that stirred within them." Meaning the thousands who burned to cinders the ravisher of a babe to death.

The age of this child was only three years and eight months. She was no rich man's child, nor the child of a man who had achieved state or national notoriety.

Her father was a poor man. His home was that of an humble citizen. The highest and only public office he ever filled was that of policeman; one which deserves praise, but rarely ever gets it; consequently no royaler blood than that which courses the veins of the common brotherhood of man stained the lonely spot of earth where little Myrtle Vance was murdered.

But every drop of that blood had a thousand tongues, and each tongue cried to heaven, and heaven was not deaf. The cindered spot of earth whereupon that murderer of murderers was burned for the crime testifies that heaven did hear.

This chapter is intended for the fathers and mothers all the world over. I would not harrow up your feelings, but if to tell you the plain, unvarnished truth of the life and death of a child does it, then blame me not. If it was fiction you might throw the story into the fire and censure the writer for libeling the name of human. And you would do right. But it is fact, and the writer has searched every line in Dante's *Inferno* for inspiration to approach the subject. Dante, though possessed of the most vivid imagination of things infernal, of any man not "mute inglorious," never conceived the crime, nor the shape of the criminal who would, for revenge, ravish to death the babe of the man upon whom he would visit his revenge. Had he, whither in hell would he have placed him, and how would Dore have illustrated the monster and his punishment?

Let us tell the story in this way: Mother, father, you have a palatial, or a splendid, or an humble home,

owned, or it may be hired. You have a little girl babe or tot, three or four or five years old. You have it attired according to your means; finely, very well, or poorly. That is, it has on a ten dollar frock, and on its little feet warm stockings and dainty shoes, or these garments may not be so fine, and in some of your cases, although it is winter, the little feet of your babe may be shoeless—they may be bare and red with cold.

Apparel has nothing to do with your love, nor has the tallness or lowliness of the roof under which your babe was born, or now plays in the sunshine of life. All day long its little tireless feet, shod or bare, follow you about your domestic duties, or it scampers in the yard and about the halls. Hither and thither it comes and goes until you have warmed it to sleep at your breast. During the day you hear it sing the little baby songs which you have taught it, and speak its simple monosyllabic vocabulary. You kiss it, you fondle it, you love it; yes, you are an idolatress—you adore it. When it gets sick your heart sinks within you, down, down, until you pray God to spare it to you yet a while longer. Then, when it gets well, your heart comes up, and all that seemed dark and desolate now ripples in a halo of light. That is just the way it is. We speak from experience, which it requires not money, nor wisdom, nor fame, nor great age to get.

Let us now address the father more directly. You have a little Mary, or Jennie, or Alice, or Minnie, or Susie, or Rachel, or Myrtle to watch at the gate for your coming at nightfall. You may come from the bank, the counter, or the loom, or the forge, or the

court room, or the sick bed. This does not matter. It cuts no figure at all, so you have the child, and it watches for your coming and you come. But it matters much when you shall come whether or not little Mary, or Jennie, or Myrtle is there at the gate, or somewhere about the premises to meet you.

Suppose she is not?

God forbid, is the prayer of one who has never prayed much, but who cannot say that all of his orisons have not been answered, that this supposition will never be verified.

Suppose for some reason, known or unknown to you, your little daughter has been stolen away? It has been the case in great cities and on the frontier where the noble red man—the adopted child of the Republic—prowls and intimidates civilization and industry.

Suppose when you hear of your child, if you ever should, it is held for a ransom, or that it has been murdered by the hatchet, or that it has been strangled, or tossed into a flame and scorched to death? or suppose you never hear of it, as is sometimes the case? Any of these would be terrible. Any of these would cause us to wring our hands, tear our hair and mourn and refuse to be comforted.

I believe indeed I anticipate you.

I believe my heart pulsates to thine.

Well, suppose fortune or misfortune has made you a citizen of Texas, at some particular spot in the Empire state—at Paris in Lamar county. There is no poetry in this, but it is true we confess for the purpose of illustrating our story.

On——street you have hired a house in which to place your family. It is no aristocratic part of the city, nor is it in any way disreputable. It is where the poor mechanics or clerks find a comfortable and at the same time respectable homes for their families.

Say now to yourself:

"I am Henry Vance, the unfortunate father of this unfortunate child. I have been out since the sun rose in the employ of another for wages upon which I support my family: especially my little helpless, sunny hearted, blackeyed chiruping three-years-old."

It is night.

"The evening shades appear."

The housewife has prepared the meal and waits the coming of the husband and provider.

The babe though weary with the playing through the day is yet watching through the dusk for me. But just before I come, a fiend in human shape has designedly preceded me. He is a tall, dark, ragged, lusty demon. The evil in his eye gleaming in the dark. In his ragged rundown shoes, he comes noiselessly as the thief that he is. So expert in skulking that even the dogs are unaware of his whereabouts. He finds my child at the gate. He looks here, there, everywhere in the dunn of the fast falling night, and there are no eyes that see him. He stoops and winds a long sinewy arm about its little waist, the skin of which was as black as the designs of the heart, and the covering of the skin dirty and tattered as crime's rags. Quick he draws it up to his calous trunk while he places the hand of the other arm over the mouth of my child to prevent its

giving alarm to me—to anyone. Then he glides away, away. Down this, up that street, the most unfrequented dark passways, and along their gloomiest sides. Now through this and that alley and out upon a lonely road leading to a no less lonely and dark piece of wooded land. Around this there are no settlements.



LITTLE MYRTLE VANCE.

[Photo by Mertins, Paris, Texas, and copied by permission.]

Dark and dank and desecrated by the skulking feet of the petty criminal eluding the officers of the law. A place where through the nude limbs of the growth around, one who at times looks toward Heaven might have seen the grey scurrying clouds of winter overhead. The foliage of the trees which had been cast off lay damp and noiseless upon the cold earth at their trunks. Here the fiend pauses with his stolen treasure.

A thousand kohinoors on his breast was as chaff to its value. Here he chuckles in his fiendish laugh and in his unread heart he says:

"To hell, allegiance! vows to the blackest devil!
Conscience, and grace to the profoundest pit!
I dare damnation: * * * * *
Let come what comes; only I'll be revenged."

This in his own tongue: "Now I'll have revenge. Baba, your father arrested me for being drunk on the street, and when I resisted he clubbed me. For this I'll have revenge. I said at the time I would. I have waited a long time but it has come at last."

"Black he stood as night,
Fierce as ten furies—terrible as Hell."

Oh! Had I been a serpent hibernating in this lonely spot, at the words and sight of this fiend, my congealed blood would have boiled. I would have sprung at his face, made fast my fangs upon his blaspheming lips, and my coil about his throat and smothered him ere he could have carried out his fell and hellish design.

Why did not earth open and swallow up the wretch?

Why did not some descending meteor hiss upon his head its red hot scoria and annihilate him?

If it be sin to ask these questions which only Heaven could answer, *pecavimus*.

The earth did not open.

The meteor did not fall.

The fiend was alone with his little victim, who, if she had any thoughts about any thing, thought the being in whose hands she was would sing her to sleep, and that she would be awakened in the morning by the kisses of her mother.

Did he do this? Did that fiend, hell-spawned, more

damnable than all the damned: foul, lecherous, leprous with the festered scabs of leprosy clotted about his heart, whose very tread cankered the earth, whose touch poisoned, and whose breath contaminated every thing with which it came in contact, except innocence, robed in the untarnishable habiliments to which the kingdom of Heaven is likened.

What did he do?

Let him tell his own story. Let him say after he is the clutches of his captors, what he did, and why he did what he did. And, mind you, did what he did while the parents and their neighbors were hurrying here and there, everywhere, through night's gloom, except one place, calling out: "Myrtle"—"Baba," "Oh Myrtle"—"Oh Baba," to which there came no answer.

Captors, "Now fiend, tell us what you did do."

Prisoner, "If I do tell you, what do you intend to do with me?"

Captors, "We intend to kill you whether you do or not.

Prisoner, "No, no. You will not."

Captors, "Then what think you we intend doing with you?"

Prisoner, "Maybe you will send me to the pen." (meaning the penitentiary.)

Captors, "Well then, tell us Smith, what did you do? How did you kill the child?"

Prisoner, "Well, when I reached the woods where you say the child was found, I sat down by a tree and I drew it to me like I would a boot."

Captors, "Did it cry?"

Prisoner, "Yes, a little, but I put my hand over its mouth so it could not cry much."

Captors, "Well, go on."

Prisoner, "Well, when I found I could not draw it on me, I took my hands and tore it open, and then I drew it on me."

Captors, "Why did you do it?"

Prisoner, "I did it for revenge."

Captors, "Well, go on; tell us what you did next."

Prisoner, "When I was done with it, I lay down upon the ground with the child in my arms. I fell to sleep bye and bye. When I went to sleep the child was not dead."

Captors, "When did it die?"

Prisoner, "It was not dead when I woke up in the morning."

Captors, "How do you know?"

Prisoner, "It was kinder moving and groaning."

Captors, "Go on."

Prisoner, "I then choked it to death and covered it up with leaves, and set out upon my escape."

Did you ever, since God made you, hear such a conversation, such confession to such crime? No, I answer for you. Such a crime was never committed before upon earth.

The physical facts bore out the words of the prisoner.

Starless night, else those celestial orbs would have blushed out. Just a half mile or so on a beautiful porch to Heaven, was the silent city of Paris' dead. Through unlustrous shadows of night from this point

at any time, the eye lifted slightly toward Heaven, and southward, might see the shadowy outlines of the marble spires—silent sentinels of the dead.

Did the spirit of our dead ones sit upon their tombs, or stroll in the beautiful grounds and streets which our hands have laid out and cared for for them in 'Evergreen?' then in that case our dead were insulted. If it be a fact, the spirit cannot return to earth, then the consecrated dust of our dead was upbraided.

Oh God, Thy ways are mysterious and all that Thou doest is done in wisdom and love. Then in Thy love and wisdom forgive the mortal whose tenderness is but human, and whose wisdom comprehends only little things, prompts him when it is so touched, that it cries out: "Why, oh Almighty, why?"

The prisoner said he went about making his escape. Fool! He could not fly from God, nor self. Yet he eluded the argus-eyes of his searchers five or six days, during which time on foot and now and then a stolen ride on some passing freight train, he got into the western border of Arkansas, some two hundred miles from where he committed his foul deed.

Do not forget that the child was taken away from its home about 6 o'clock p.m. There were many during the night heard of its being lost, but did not anticipate anything serious would result therefrom. The morning paper published the news of the lost child and then it became known all over the city, and everybody was on the *qui vive*. Every minute it was expected somebody would find it. But no. Eight, nine, ten o'clock came, and no news of the lost baby. The citizens held

a hasty mass meeting at courthouse. It had been called together because it was a fact Henry Smith had been now suspected of being its kidnapper. Because too, the wife of Henry Smith said to a city officer who went to make some inquiry about Henry—if she knew where he was, and she said: “I will tell you Mr.—, when you find that child it will be dead—it will be raped to death.”

The officer hurried to narrate this news, but he nor any one else could hardly believe it could be possible in the extremest manner the woman said the child would be when found. However, this sort of news went faster than flames through a sage field, and as thoroughly scorching.

It was at this mass meeting when some one suggested a reward should be offered. None at this time had been offered. There were many in the throng who hissed at the suggestion, saying: “We do not want cents for which we’d give dollars.” But Mayor Cate did call for \$500 as a reward, and it was tendered as soon as a few pocket books could be opened.

It was at this news of the woman’s apprehension that men stood in groups, pale and trembling, at the possibility of the child being murdered. It was then women were to be seen hurrying this to that one’s house, and that to another’s, or whispering in husky voices, wringing their hands at the division fences of their homes—or still, the matter was being discussed between the mothers from their windows across the streets, which had been hoisted in the hurry to exchange a word, an opinion, upon such awful apprehensions for one of

their sex, so young. Livid were their lips, and their frames shook in indignation as the aspen shakes in the breeze.

Do you not remember in history that day, in the days of Colona Rienzi, of Rome, when the soldiers of one Martino di Porto, without license, forcibly entered and pillaged the house of a jeweler, how the people left their work—the bench, the forge, the counter, the stall, and gathered in groups and talked about the outrage? Or how it was that day in a more modern city, when the news was norated from house to house, from man to man, that the child, Prince Arthur's eyes were to be burned out?

Well, Paris is not so large as Rome was, or as London was, but people are just the same, and are harrowed up and hurry here and there and meet and talk just the same as they used to when some crime had been committed which outraged their senses of justice and humanity. Just so it was that day with the people in Paris, Texas, a town of ten or twelve thousand souls.

The merchants, with their salesmen, left the counters, the attorneys the bar, or offices; the carpenters came down from their buildings; the well diggers came up from the earth; the blacksmiths left their forges; the money lenders, the bankers, the operators, the school teachers, all, all, white and black, began the search. From the public plaza they radiated into every part of the city; turned, it seemed, everything where a child might possibly be covert. But, at eleven, at twelve, at one o'clock no tidings of the child. Neither could

its suspected kidnapper be found, high nor low. It was now unanimously believed that the child would not be found alive. It was now when such belief was general, that the hearts of men began to kindle which was soon to be set in a surging, leaping, uncontrollable flame. About two, or half after two o'clock, the harsh clangor of the city fire bell was heard, which was a signal (as before agreed upon) that the child was found. What a hurrying of feet now; young, old, black, white, male and female. What anxious, ashen faces, what hurried whispered queries: "Is it alive?" "Is it alive?" The answer came back to them which melted them from their rigor: "No—dead." The men who found it came with it, time about, in their arms, (it was not heavy, but each wanted a share in the burden) and laid it in the house in which the governor of the state offered \$250 reward to have its murderer caught and tried and convicted by due process of law! The coroner was called, and the physicians—Drs. Chapman and Baldwin, also, who have made an affidavit as to the manner in which the child came to its death, which will appear in its proper place in these pages.

It will be seen in said affidavit that the doctors pronounced the child, then at 2 o'clock, eighteen hours after its being carried away from its gate, in a semi-rigid condition: i. e., it was not stiff and cold as would have been the case had it been dead any considerable length of time.

No. When the morning in its gray dawn dispelled the long dark night and set the busy denizens moving

about their daily duties; when *your* baby, mother, who now is reading these lines, wound its little arms about *your* neck; called *your* name and kissed you, as is its custom of mornings, this little tot whose mother had not been near it that long, dreadful night of its dying, for whose murder we, the citizens of Paris, Texas, burned at the stake Henry Smith, was not dead.

Think about it as though it had been your child, or your neighbor's child, or your fellowman's child, as it was, and then write me (my name is given herein as the writer) if you think we are guilty (twenty thousand of us) of *murder*, as our governor charges that we are—or inhuman, barbarous, savage-like, as some others have charged, because we vainly attempted in the punishment of the brute, Smith, for his crime by fire, “an eye for an eye?”

I know I shall never get a letter from any one with a heart who shall write to blame.

Around that magnificent pile of brick and stone and mortar, known as the court house of Lamar county, in which lay the little corpse, mangled and bleeding, while the doctors were making their examination, several hundred; yes, perhaps there were thousands, of men gathered to see, to hear, to do, by the time the physicians were ready to announce the manner in which the murderer, whoever he was, had murdered his victim, this babe going on four.

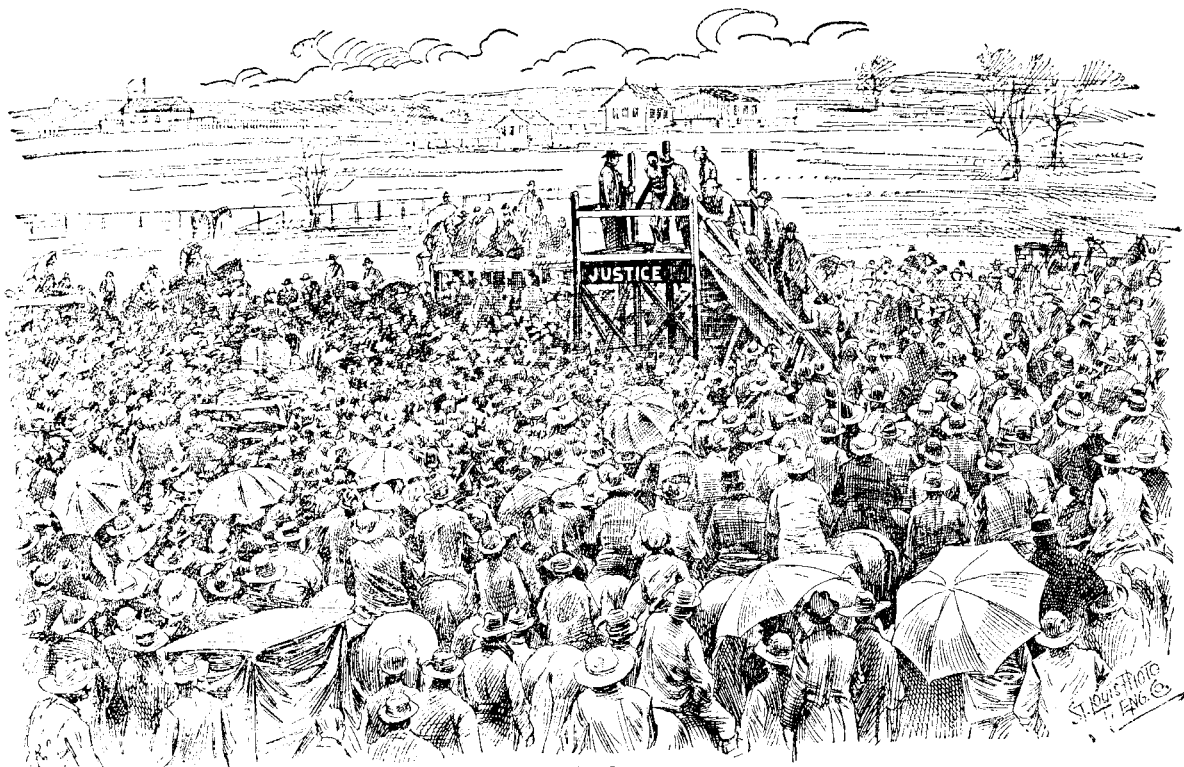
If it were my aim; or, I will put it this way: If, in giving you some detail of how these men appeared at that news, now pale, now livid, now frozen, now seeth-

ing, and how they surged and groaned, and wept, and wrung their hands, and put them over their sobbing, throbbing hearts, and in this dark and awful manner hurried each away, whithersoever his horrified instinct led him, to search all beneath heaven, all above hell, for the being who did this deed, and thereby try to deceive you, in that, I had such power of tongue on paper, I would be unworthy your further perusal of these lines, which I declare to you from first to last are the merest attempt at what in reality we have suffered in this matter. There are no cold vehicles of thought arranged by a rule of syntax and orthography that can tell you. But I will tell you, if at any time in after years you meet one of us, take us by the hand, and while you hold that hand name this crime, you will feel the shock we received far better than any words we can speak or write.

Ten or fifteen days after the burning of Smith, a party curious to go out in that lonely spot where little Myrtle Vance was found murdered, some forty or fifty yards from the spot where she lay covered with leaves, her little shoes and stockings were found. They were blood-stained. But what wrings conjectures from us, why such was the case, is that the little stockings were tucked in the shoes as if the child might have done it, as perhaps it had been taught to do on preparing to go to bed. We ask, and plausibility says: "It seems so; that in its delirium, at some time during that night, it retained still the power, and procured the chance of taking off these little garments of the feet preparatory to going to bed." Aye, maybe so; possibly so. There

is no telling. He who we put through the fire, he who writhed and cried for mercy at the twelfth hour, (never before) when the torture pierced his searing flesh and hissed upon the bone, he who some few in the corners of the earth have cried out: "Fellowman," (in speaking of this brute) might, if here, fat and sleek, in the county jail, waiting for trial by a jury of his "peers," as per due process of law, tell just how these little shoes and stockings which have been cast off for celestial sandals, came to be forty yards from where her body was found.





[Photo by Mertins, Paris, Texas, and copied by permission.]

THE DEMONSTRATION.

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CHAPTER THIRD.

TO THE FUNERAL PYRE.

[It requires this note to explain to the reader why in this chapter we seem to repeat ourselves, or go over some parts of the ground again.

These lines were the first we wrote upon the subject, just after the burning. They were put out in pamphlet form, having been rejected by the newspapers as being *too lengthy*, perhaps too pedantic.]

"Whence and what art thou execrable shape?
Hell-born."

When Prometheus stole the fire from heaven, or when the Lord God of the Children of Israel suspended a pillar of fire in the heavens to direct and light the emancipated from thralldom to a land of liberty, there perhaps was not so much fuss made upon the one hand, or eclat upon the other, as there has been made throughout civilization, which, as a band encircles the globe, over the burning at the stake of Henry Smith, a fiend in human shape, by the people of Paris, Texas, for a crime which language sinks into significance, too feeble, too powerless to portray. All that language has been able to say, and that has stirred to indignation and fury the human heart, and staunched it for retaliatory action, is:

"A babe was snatched from the mother's arms by a fiend in human shape and ravished to death!"

Yet, this is not it. This is not what the heart throbs, this is not the awful wail, which from the blistered lips of mothers rend the heavens. The crime has made nature blush.

Those who, when the crime came to their ears, lifted their hands to heaven and swore vengeance should be appeased by the manes of the monster reduced to ashes, as did those Sabine hundreds at the news of the rape of Lucrece, need no one to plead their cause, nor offer an apology for what they did in executing Henry Smith by fire. The silent lip applauds the loudest, and there sits none so high that the wrath of an outraged people could sully, to whom the empty frame of an apology should be tendered. So be it. I am not a pleader nor one to make to anything or anybody an apology.

If we, locally speaking, have been an insignificant moiety of a great nation with no other notoriety than suspected sturdiness, we are so no longer. Wherever print is read, wherever speech is the vehicle of thought, the people of Paris, Lamar county, Texas, of the United States of America, are now geographically located, and for moral stamina and worth, are known.

An unprecedented crime has led to the display of unparalleled magnanimity of a people who, *en masse*, of every age and color and sex, took up the hue and cry for the apprehension of the fiend and ravisher to death of little three-year-old Myrtle Vance; nor did they cease it until that monster was overtaken, brought back, and lashed to the stake upon his funeral pyre. Then in one voice it read the verdict. The verdict

was: "That the self-condemned should be tortured and burned to death."

We would not again re-open the bleeding lacerations of the heart of all humanity by again lifting the winding sheet from off the lifeless corpse of the little victim of this brute of brutes, which act of murder and outrage, when known, did first freeze, then inflame the life's current of every heart that heard it.

It was an act prompted by lust and revenge. Hell-born lust, hell-born revenge! The story in brief that led to it:

The father of the child, as an officer of the law, had, for some breach of the peace, cause to arrest the brute, Smith. In making the arrest and delivering the prisoner some severity had to be used. Then and there, for this, it is said, Smith swore revenge. Such terrible revenge never found harbor in human breast before. This revenge was fiendish beyond conception. No fetish priest, intoxicated by the fumes and dregs of magic cauldron, could have conceived and planned the execution of such revenge. The lizards of the brain of the most infernal had never perhaps stung to such infamous crime.

It was revenge, for the last words the foul mouth ever gave utterance to were: "Yes, damn you; I did it for revenge."

At the stake, while being stung by the fagot, the monster thus addressed the father of his victim; and it was then (and had the arm refused to do the bidding it should have been palsied) that the parent thrust into the mouth and throat the red hot iron and seared the

word upon his tongue. It was then that the same hand with the same red hot rod blistered his eye balls that heaven's fair light might never again reach his brain. This was the refinement of torture about which so much pro and con has been said—this was the cause of it being so refined.

Let us see how the monster went about the act in which he sated his revenge.

As night fell over the city, in his dirty rags, the rags of idleness and crime, he came to the gate of the man who he bore, and had sworn revenge. The man's baby child—God only knows why—was playing at its gate. It was but a little over three years old. It was singing its baby songs. There are hundreds of us in Paris who knew the tot, so many times had we seen it playing in life's morning sunshine. There was no one older and stronger with it. We think the "snakey sorceress," the fiend's guardian angel, might have laid a warty hand upon the arm, which was long and sinewy and black, ere he wound it about the child, away with which he skulked.

Illiterate fiend, else now through his brain might have ran this line:

"Which way I fly is hell; myself am hell."

He was a tall, lean, dark, angling, wirey constituted being, of African descent, about 27 years old, low and scowling forehead, small, muddy, sensual eyes, shotr but broad chin, brutal mouth, and dirty and foul person. He hurried along the dark or shadowy sides of the streets until he came to a dark and out-of-the-way place, a woodland in which for its ugliness the city had

fixed its dog pound. From the gate to this place we can see him ambling and shuffling along in worn run-down shoes, the victim clutched to his breast which heaved as by the tossing of adders in deadly coil and combat—a hellish contortion of face which may be the demonical snivel of an infernal imp of hell—playing upon his ghoulish countenance. It is but a simile: Satan, dark with the soot and cinders of hell, wan and emaciated with the sufferings of damnation, consciousnessless, and where was conscience once, the blistered heart of hopelessness, at the gate of Paradise. He snatches a cherub and dashes towards hell. And if we may be permitted to carry the simile further in this Miltonic way: at the daring, heartless escapade of the chief of the realm of outer darkness, all hell trembled, cindered faces blanched, scorpions of fire ran deeper into perdition and stung themselves into renewed pain and madness.

As this fiend shuffled along the streets leading to the dark woodland where he committed the crime, men and women in their homes heard the crying of the child. It called for its mother. Heaven must have heard but the mother did not. It said: "Mama, mama." And that word is the sweetest word in language when it falls from the innocent lips of an infant. If Heaven's gates do not swing open to this sesame, if it cannot be heard in whispers at the great white throne, though the lips that sound it are savage, no prayer of priest or prelate need ever be trumpeted that way. Those who heard the child knew not its peril—its doom. No. Else the frailest woman that heard its cries would have

rushed into the street and tore it from the clutches of the fiend.

When the monster comes to this out-of-the-way place already desecrated, see what the physical facts declare to all men, especially to those who have murmured against the manner of execution of the self-confessed criminal, by reading the certificate which we here make a part of this article, of two well known physicians of this city.

SWORN STATEMENT

Of the physicians who examined Myrtle Vance, the victim.

On the 26th day of January, 1893, by request of A. Cate, Mayor of Paris, and J. C. Hunt, Justice of the Peace, Precinct No. 1, Lamar County, Texas, we examined the dead body of Myrtle Vance, aged about three years. We found the body in a state of semi-rigidity and we based our opinion on this fact that death had occurred not more than six or eight hours previous. The chest, abdomen and lower extremities were covered with blood, bruises being found under the angle of each jaw, slight abrasion in front of left ear, giving evidence of an effort at strangulation. Found complete laceration of perineum, extending an inch and a half up the rectum. The posterior part of the vagina ruptured, connecting abdominal cavity with vagina, parts terribly bruised and mutilated, unmistakable evidence of rape, hair from the mons veneris of the negro being found on the pudendum of the baby, held by the clotted blood.

J. B. CHAPMAN, M. D. City Health Officer.

W. S. BALDWIN, M. D.

I see you tear the paper; I see you wring your hands; I see you rise up in rage; I see the unmitigated wrath of your soul written upon your face; I hear you swear, or declare, that only fire was commensurate

punishment, applied in all of its refinements, to the wretch who committed this crime. I see but one man who blamed—who declared this fiend his fellow creature, and who attempted to scoff and rage at the manner of his execution. Does he stoop to the peership as one before whom this vile monster in human shape might come for trial according to constitutional law?

That man is the present editor of the St. Louis Republic. What did we do, who were on the ground, (who felt that in this unparalleled crime all our homes had been outraged,) for a moiety of vengeance? Why, we rushed from our doors when we heard the news; we scoured the earth, we took torches into the caverns of earth, we upturned there and everywhere the *debris* beneath which a being in human shape might secrete. It took six days and nights to do this. It might be said cooling time as against any crime outlined by statutory laws. For this one the blood had not yet reached its fever heat. The fiend might not have been caught so soon, but vigilance was on the alert all around the earth where electricity had awakened it. Its ears were started at every breath, its eyes were sharpened to every moving object. Had it taken six months, or six years, vigilance would not have slept until the fiend had been brought to justice.

When the news was flashed over the wires that the fiend was in irons and alive, the city marshal, to whom the telegram was sent, hurried to the plaza, and from an elevation, in a loud voice, read the dispatch. It ran as follows:

WASHINGTON, Ark., Jan. 31, 1892.—James Shanklin: Have Henry Smith on train. Meet me and protect us.
B. B. STURGEON.

Protect us! What did he mean?

That day the city was full of people. Hundreds who had been scouring hill and dale, and bog for many days, had come in worn, muddy, and despairing. New plans were being formulated for them to go again as soon as possible, when the news came that the wretch they wanted was caught. When the marshal read that news aloud a cry of joy went up which rent the heavens. It subsided in the words: "We'll burn him." Then, in one voice, and as one pair of hands, the outraged people, who are legion, went to work to prepare a place for his execution by fire. It was prepared. A special deputation was sent forward to see that no interference of outraged citizens by the wayside should cheat us out of our terribly earned dues, and to receive him—not from the law—in this case a figment—but from friends.

"Courts for cowards are erected,"

when such a fiend as this is to be dealt with.

The oath of office had never anticipated protection from swift, and terrible, and summary justice of such a criminal. Never! There are no peers in this country, (God forbid there be any in any country,) but which to try such a monster as the ravisher of a babe. Let those who have thought the burning of Henry Smith for the above crime, cruel, look at their three-year-old child when they dandle it upon their knee, and ask themselves this question: "Had it been this one

as it was that one, would I think the stake and fagot too severe, too cruel, too inhuman?"

Well, the monster was caught, and the news of his apprehension went like wild-fire, for every ear that had heard of the crime was eagerly listening for his capture. Instinctively those whose sympathies were with us in our affliction, knew we would burn the fiend, and the thousands who wanted a hand in it, who wanted to aid us in the work of execution by fire, came in on trains, on horseback, having ridden all night and up into the day in order to reach the place. Special trains were asked for—I believe on some lines they were granted—anyhow our ten thousand were swelled to thirty thousand by ten o'clock a. m. The victim was due at 12:05 p. m. Wrath and determination were depicted on every face, and not darker was the cloud which, a little before the train pulled in to Paris on which the captive fiend was chained, scurried up from the northwest on sable wings, than the lowering wrath written upon the brow of that vast assemblage. They had enmassed for an extra judicial purpose, viz: to read a lesson by the light of the fagot as it climbed around the limbs of the ravisher and murderer of a child of a fellow citizen, to the born, or unborn wretch who dreamed, or should dare to dream, of similar outrage. There were no masks—it was no mob—it was at high noon in the day—letters and telegrams were going in every direction, even to the chief executive officer of the state, (the writer sent one) that the fiend was caught and would be burned alive—that it was just and right, and

that there was nothing in law, human or divine, against it.

At the foot of South Main street was the depot into which the criminal would be brought, and there the thickest of the citizen hosts gathered.

There had not been a saloon opened in the city that day; the public schools had been closed and the children sent to their homes. He who has said the schools were closed in order that the children might attend the execution is

"A liar, and the truth is not in him."

There was not a drunk man in the town, perhaps not in the county.

I had read of mobs, and French revolutions; I had seen illustrations of that vast surging populace at the time of the beheading of Louis XVIth, and had often tried to picture to my fancy the rush and surge of the people when Antony showed them Cæsar's bloody mantle along with Cæsar's will. I thought written language had power to depict or display in word picture such scenes of the people who meet above the plane of written law and act with inspiration, but not so. Written ideas are but vague illustrations, as indeed I saw when that assemblage who had resolved themselves into a law unto themselves, pressed up that avenue which, though a half mile in length and sixty feet in width, was one living, moving mass of determined people, moved as by the will of one man. I had a birdseye view from where I stood. Spirit of Jugurtha forgive me! But when I looked in the face of this unpitied brute, lashed to the "conquerer's

car," it was thee that rose up before me, in that day thou wert cast among the serpents. Did he love life? Did he fear hell?

As they entered the plaza and swung around this, the sight was terrible to behold. The victim, the fiend which had shaken the moral senses and torn the hearts of the people, was borne along in the midst of this moving throng. His funeral car had been prepared before his coming. It was a large goods box nailed upon a float. Upon this he was made fast by ropes. To the float was hitched six dappled gray horses. Ah, what a stigma upon all that pertains to white—they should have been black as night, but then there was no time for trivial harmonies.

There were still thousands in the city who wanted to see the fiend of fiends, and monster of monsters before his execution, for which this part of the program had been arranged. Around him upon the floor of the float stood a dozen or more outraged citizens. Outside of these rode upon horseback a thousand armed outraged citizens, their winchesters bristling toward the darkling heavens. These arms were not to terrify or prevent the possibility of the escape of the shackled prisoner. They were for Rome while the Carthaginians burnt Matho. To be explicit, for any militia. Outside of these thousands of outraged men (not all young and full of lusty life) there were many gray-haired men stumbling toward the tomb, who lent dignity to the throng, and whose presence declared justice demanded such concert of action.

There was not a jar, nor loud voice. One not know-

ing the ultimatum would have suspected a funeral pageant following to the church yard some departed exemplary citizen, excepting that difference which saddens or empalls the countenance that is so glaring between wrath and sorrow. In retracing their steps the throng had to pass along the very streets in which but a few days before little Myrtle Vance had chiruped and played, and too, but a few nights prior had been hurried along in the grasp of her fell destroyer to the place of her death.

Our law writers have told us that capital punishment was not intended as expiation of the crime of the capitally punished, but that it was intended to deter others inclined toward law violations. Does it? Has it? I appeal to the past. Our observation has taught us that the tardiness and uncertainty of punishment has stripped the law of its terror, and that the gibbet is the preliminary step to paradise by the incarnate feet of the rapist. An accusation to "the crime of rape, they say, is easily made and hard to disprove;" therefore, men, in justice, tempered with mercy, are deterred by the fear of transcending human rights, discharge, and let go fiends that deserve capital punishment. But when all doubt is scouted, and the finger of truth points to outraged innocence, and cries to heaven for justice—for vengeance, who are the stocks and stones who will refuse the refined experiment of the fagot to do that which the long tried gallows has failed to accomplish?

Think about it. How dark and desolate are the remaining days of that home whose wife or daughter hath been left to breathe, and weep, and hide away

from the vulgar eyes of the world by having fallen the victim of the fearless ravisher! If that home is dark to which the parent may come, or the husband may come, and kiss away the scorpion of sorrow from the daughter or wife who still survives the clutches of the fiend and ravisher, so that it is not all darkness and sorrow; how dark and sad must be that humbled, outraged home whose babe has been snatched from its hearth, and to sate lust, and gorge revenge, outraged to death.

Without further remarks, let us hustle up the victim to be offered as a wrath-appeasing offering, to which one of the gods, I know not, and behold him lashed to the stake. This stake was made fast to a platform which stood about ten feet above *terra firma*, so all could see.

This was ten feet nearer heaven than teeth or toenail, or spirit of Henry Smith, now deceased, will ever be again. He was most frozen by the "mute avenging" elements, which seemed was meant to sharpen the tongues of fire.

"Is there no place left for repentance, none for pardon left?" Asked the devil when he had been kicked out of Paradise.

It is useless for me to recount the manner—the very refined manner in which the scorpions of the fire were applied: more than to say, the soldering irons were made to hiss along his limbs, across his quivering chest, thence down his spinal column until his avenger was satisfied.

There was no mercy in all the ten thousand souls

gazing on, not one plead mercy. The gladiator(?) must die—every thumb was turned down. Many cried out: “Just what you deserve.” Others were heard to cry when he writhed against his cords, at the touch of the red hot rods: “You infernal scoundrel; you do not suffer as your little victim did.” Still others cried out: “Go slow; she was twelve hours dying”—meaning the baby—“torture him twelve hours.” When he was blinded by the red hot rods and all was dark upon earth, which he had polluted, a thousand times polluted, his mental eye must have seen hell. He never called on God only to damn. He had blasphemed that name in his crime; and if, with his burnt stumps, he knocked at heaven’s gate certes, if I may judge, he heard: “I know ye not.”

Many a poor heretic for John Calvin’s sake had been refinely dealt with by fire in Lang Syne.

It remains for me to say something in eulogium to the people who, when the time came and the cause was ample, had the *nerve* and *magnanimity* to burn to cinders the ravisher and murderer of a babe. There was no blaring or hurraing about it. There was no visible attempt at ostentation, nor scoffing at law and order. Hundreds of the tender sex looked on. In fact, since the day of the terrible crime, wives, daughters and mothers, had enjoined upon their husbands, sons and fathers, superlative efforts to overtake the fiend and bring him to justice:—their verdict was fire. Every tongue said fire, unless indeed it was some hypocrite who feared the devil.

Timid slaves to written law in other lands, which

they themselves create, for instance in Utah (as we read) where for rape the fine is \$5 or \$25, as the case may be, did not believe the threat to burn the fiend alive would be carried out. The New York Herald said: "It is incredible."

The crime was incredible. Those who did not see it could not believe it. A baby child snatched from its mother's arms and raped to death! In all of its horrors the story has not been told.

What have we done, or left undone, as a people of pride, as a people capable of being wrought up to indignation in the vindication of our homes, our wives or daughters against ravishment that, when it is wired abroad we have burned at the stake a monster for having ravished a babe to death, that it should not be credited? We go on record now as being credible.

The burning of Smith for the crime as herein related, was an act at the hands of the citizens of Paris, Lamar county, Texas, the sublimity of which has no precedent upon the American continent, perhaps not on the earth. The sun will never rise upon another day in which another act more just, more sublime in the vainly attempting by man "an eye for an eye,"

Did not the Lord God when He said: "Vengeance is mine." point to these people as his instruments? If not, I know not to whom He would declare: "The devil is mine enemy, and my people shall array against him and cast him out." I quote from memory. Yet, the governor of the state, who ought to be proud of such a people—people who have the magnanimity to trample under foot their own feeble creations of law,

and obey the highest impulse of nature which makes man akin to God, continues to insult and brow beat them. Such obedience to their own frailties would make men dastards. To do as they did, great. The governor, upon hearing of the crime, offered a reward of \$250 upon the conditions that the rapist, Smith, be jailed in the county where the offense was committed, and convicted by due process of law. We shall always think he should have made the break which Governor Crittenden, of Missouri, made, when he offered a reward for Jesse James, dead or alive. Though that reward offered ruined Governor Crittenden, such a one would have saved Governor Hogg.—(Opinion.)

What cattle would the people of Paris have been, how bent to some Gessler's cap, had they for the reward of \$250 of their own tithe money suffered the sheriff of their county to take with impunity and fatten and pamper in jail the fiend which had so terribly outraged all that their hands had made sacred and their hearts had sanctified? Their homes.

It is a terrible calamity for a people to have to resort to that medieval mode of punishment—the fagot—in order that their children may play at their gates without fear of being kidnapped and outraged by skulking fiends who it seems aspire to Heaven from the scaffold below the gallows. I say this is a great calamity, and only milksops are unable, or unwilling, to be charitable towards us, who have sustained such calamity. From time immemorial the monster who grovels to rape has been entering this or that lowly or loving habitation and outraging this or that member

therein; in many instances adding murder thereto in order that his victim might not cry out and accuse; but never until now hath the babe been snatched from its mother's arms and ravished to death.

See the physicians' affidavit.

The people who made the law have been terrified at their own creation, and have stood off and tried to read it as though it had been made by Draco and written in blood. It has been a spirit of Lodi that awed the uprising of the people and the drawing of fire across the trail of the monster of retributive justice. It has needed and found a Fingal to pierce it. Talk to a people about the majesty of the law. It is a myth when it attempts to rise higher than its fountain source and intimidate certain, summary justice, by bluster, and brag, and libel, and abuse, such as his majesty of straw has been flinging at those who burnt to cinders Henry Smith. The majesty of the law by its tardiness and uncertainty in such imperative matters has sullied its ermine. Men have been driven by outrageous wrongs to that scriptural injunction which says:

"Take no thought of the morrow, let every day provide for itself."

The law in this case had no jurisdiction, and notwithstanding the chief executive of the state is wont to add insult to insult by reading to our legislative body, now in session, that the executioners of Henry Smith by fire, did it without law and are guilty of MURDER. Some of the best citizens of the state, morally as exemplary, intellectually as great, revering God as much, and respecting the laws of the land no less than the

governor himself, are charged with one of the highest crimes of the land by the chiefest officer of the state. Governors are not Gesslers—Texans are not timid Greeks. Heaven approves of the action, and no spume of the father upon his children can bastardize them in the law.

The people knew the law had no jurisdiction in this case as soon as the evidence was in, which evidence was physical facts in the blood-stained garments which clung and clotted about the bruised, and mangled, and outraged, and lifeless form of a child just beginning to prattle, so few and tender were its years; and the confession of the accused. They simply had to reach higher than the shelf upon which the musty tome of written law is laid, and in unwritten and inspired wrath hurl back to hell a hell-spawned fiend, which had come into their midst, and without fear of God, or human law, or man, and perpetrated a crime at which the devil himself would pale.

And *yet*, that fiend had friends and pleaders; one in the editorial chair of the St. Louis Republic, and another in the governor of the state, as its governor, in which this heinous, horrible act was committed, which shook the state from center to circumference and appalled the nations of the earth.

When the facts are all known why Henry Smith was tortured and burned at the stake by the people of Paris, Texas; when the wave of human sympathy, which the bleeding hearts of this people has set vibrating, shall have reached all the outside world, he who then shall assert that the action was wrong, cruel, bar-

barous, brutal murder, etc., etc., in the same category, will be dastard, will be kith and kin, so far as heart can beat to heart, to those who rape babes.

Pusillanimity can't insult magnaanimity. From this declaration, sooner than I will retrench, the earth will dissolve beneath my feet!

Show me the man, show me too, his neighbors, whose infant child has been torn away from its mother and ravished to death, who will stand gaping upon the streets, terrorized by the figments of law while the bailiff leads the self-confessed fiend to jail, and I will show you men, the like of which were never born free, who do not deserve the name of fathers; who it would be flattery to call dastards, cowards, unnatural dogs.

As sorry as I am that the community in which I live has been visited by so terribly, even so proud am I to be one of that community and may claim the right to dedicate my children to their care when I can no longer be with them, whose bone and sinew has had the magnaanimity and nerve to rise up and mete out swift justice so far as it was in their power to mete it out, with that element which the crime seemed to merit, in which the Lord God hath said the devil and his angels shall, in the pits of outer darkness, be consumed forever.

Out upon the false and libelous accusation of mob, upon a people who, in just indignation, rose up and as nearly as it was in their power, meted out a swift and terrible punishment to an execrable fiend. Mob!—a libel. It took the salt of the earth to do it, and it was shorn of every infamous guise of mob.

"Back to thy punishment, false fugitive, and to thy speed add wings."

CHAPTER FOURTH.

THE MOUNTAIN LABORED AND THE HILL WAS A
MOUSE.—ÆSOP.

Upon reading the governor's message, which I here-
to append with a blush of reluctance, for it will im-
mortalize him as being a man who jumps at conclusions
as the moon-eyed adder does at a noise, also as
being not only not a very good lawyer, to which pro-
fession he belongs, but far below the mediocrity as a
statesman, also as a public man who no people could
make great, I wrote and published the following lines:

Friends, we are charged with a very grave offense,
not by a Grand Jury of our peers—for they too are ac-
cused—but by the governor of the commonwealth, by
that most unusual and arbitrary manner—a Bill of
Information. The evidence against us has been very
well put in: that which would acquit us, aye, say:
“Well done thou good and faithful servants,” has been
very badly handled.

Abroad, the crime in its boldness was lost sight
of in the novel manner which we chose to punish the
criminal. (See the title of this pamphlet.) Even our
governor, whom we never suspected as a Moses, nor
one of the wise men of Greece, is trying to play the
role of Junius Brutus. He is our political parent and

would give us to the headsman, but in these modern days, the vassal may say, with impunity, "I wish the horns of the stag were in the King's belly."

Friends, we are on trial, charged with a very grave offense against the state. The world is the jury before whom we plead not guilty, and the verdict will be "NOT GUILTY." When it is rendered, I mean to trouble you again with a few lines in pointing out those who badgered and suborned the witnesses against us, and too, those witnesses who laid perjury to their souls in order that we might be convicted. Friends, remember:

"This world was not made for Cæsar."

Truth cannot be covered up, though mountains of falsehood be piled upon it. No, it will rise up and in sandaled feet stand as an angel of light upon the black scroll of perjury and falsehood.

THE MESSAGE.

"If you have tears, prepare to shed them now."

—Antony.

"If you have constitutional lore go now and brighten it up."—Self.

AUSTIN, TEXAS, February 7.—The governor's message on the Paris lynching was listened to with breathless interest. It is as follows:

EXECUTIVE OFFICE, Austin, Texas, February 6.—Gentlemen of the senate and house of representatives: It becomes my painful duty to emphasize to you the necessity of taking some steps to prevent mob violence in Texas. The recent terrible holocaust at Paris is but an illustration to what extent the mob spirit will go when the laws are inadequate to check it. While the

victim of that affair was guilty of an atrocious, barbarous crime, appalling to contemplate, for which he was certain of full punishment under the constitution and laws of our state, civilization stands as a helpless witness to the most revolting execution of the age, in which large numbers of citizens openly, in broad day, publically became murderers by methods shameful to humanity.

Brushing away sentiment, which should never accompany punishment for crime, the public murder committed at Paris is a disgrace to this state. Its atrocity, inhumanity and sickening effect upon the people at large cannot be obscured by reference to the savage act of the culprit himself, in brutally taking the life of an innocent child. For his deed the death penalty awaited him under the law.

The imputation that he could not have been legally executed in any court in this state is a slander upon the integrity of every citizen. To contend that his executioners, who publicly murdered him, can either be indicted or tried in the county where that crime was committed is a pretense and a mockery. So the condition exists in our state that while one man may be convicted for murder a hundred men who publicly commit murder cannot be. The law therefore without further legislation may be held in defiance in any community where the forces are strong enough to overawe the local officers, and set aside the legal machinery of justice.

Our constitution is not so hide-bound that this condition must continue. It is in the power of the legislature to adopt suitable measures to either prevent mob law, or to bring to punishment all murderous executioners. No combination of men should ever be so strong in any government as to successfully override the law. They should never be so numerous as to make it impossible to bring them to trial for their crimes in the proper court.

The constitution provides that in all criminal prosecutions for a felony the accused shall have a speedy

public trial by an impartial jury on indictment duly found; that he shall have the right to demand the nature and cause of the accusation against him, and have a copy thereof; that he shall not be compelled to give evidence against himself; that he shall have the right of being heard by counsel; that he shall be confronted by the witnesses against him, and shall have compulsory process for obtaining witnesses in his favor; and that no cruel or unusual punishment shall be inflicted on any citizen of this state for crime.

Mobocracy overrides all these guarantees. It was done in this Paris case. It has been done in many others where the victims were innocent of crime. So it bids fair to continue. The question presents itself: Are the people willing to submit to this? If they are they should have the courage, the manhood, the justice and the patriotism to repeal the bill of rights and permit each local community to summarily dispose of all real or supposed offenders.

This late execution at Paris is not the only one that has been performed by a mob in that county within the past twelve months; for within that period three other men were hanged to death in that neighborhood, who had committed no crimes. Their presence in the community was offensive or perhaps menacing to the pleasure and equanimity of the band of murderers who took their lives. There have been other instances in this state where innocent men have been executed by mobs, and no punishments therefor have been possible. The condition has grown to this, that if enough men in a community choose to defy the whole law, they can go on in their nefarious executions at will. The action at Paris is the culmination of this spirit, long existing in a few counties of the state, magnified on a large scale.

Will the legislature stand by and permit this condition to continue undisturbed, unchanged any longer? I hope not.

So far as I am concerned, I believe that to the guiltiest culprit that may blacken his hand with crime, the

constitutional guarantees under all circumstances should be jealously observed throughout in his trial and execution. When any conditions are made to justify or excuse a precedent for mob law, others will arise at the convenience of the murderous class. The observation of every experienced man teaches that when a community is infested with a mob spirit, legal executions become rare and impracticable, if not impossible. When a murderer on trial knows that he is before a jury composed of one or more men who have escaped punishment for an equal crime, he feels sure of either an acquittal or a hung jury. A mob execution is no less than a murder execution. No man, or set of men, with murder upon their hands, are capable of justly enforcing the laws.

As a rule, the riffraff, lounging, indolent, lawless element of a community inspire and lead the mobs, while the law-abiding, industrious, honest citizen is terrorized by the spectacle. If people otherwise respectable are led into the crime by the excitement of the occasion. In their cooler moments they must see that their leaders and associates are an element of hardened criminals. Something should be done to teach them in advance that for their crimes they must answer at the bar of justice. The question is difficult to deal with, but if your honorable bodies will enact suitable laws and place the means at my hands, every person who takes part in a mob shall be brought to trial, or the strength of the machinery of justice shall be thoroughly tested in the effort. There is no higher obligation resting upon the legislative department than to have the constitutional guarantees, for the protection of life, liberty and property, respected and obeyed.

If taxation becomes necessary to raise funds by which this may be done, I advise your honorable bodies to lay it on, and make the people pay it to the full extent necessary.

To aid in suppressing mob violence in this state, I respectfully suggest a law embodying the following features:

1. That when any person, being a prisoner or in jail, or other place of confinement, or under arrest, or in official custody or restraint, or is held by or under the authority of any county, city, or state officer, or is restrained by virtue of any legal process, shall be taken from such place or authority, in violation of law, and put to death, the county within which such person was so held or confined, and from which he may have been so taken, shall be liable to pay a specified large sum to the surviving husband, wife, children and parents of said person who shall so suffer death.

2. Make the county also liable for damages when any person, not being a prisoner or under legal duress, is mobbed by two or more persons, and the said criminals are not within a specific time indicted and prosecuted for their crime.

3. Make each person, or corporation also liable for damages who takes part, or aids by acts, encourages by words or gestures, or who keeps watch, or in any way abets in the mobbing of a person.

4. Give the surviving relatives an action in the district court of any county where the murder was committed, or in any county where either or all of the plaintiffs may reside when the action is instituted.

5. Render the sheriff ineligible to hold his office and provide for his removal when a prisoner is taken from the jail, or from himself, or from any officer or lawful authority in his presence and is put to death by a mob.

6. Provide for a change of venue, either before or after indictment, in all cases of mob violence.

When passion, in its wild rush for blood, over-rides the law and tramples down the constitution, a precedent for anarchy is set, marking the way for the destruction of this government. Patriotic action on the line of wisdom and justice now becomes necessary to prevent its spread. Repeated overt criminal acts in this state have sounded the warning. The power rests with your honorable bodies to encourage anarchy by silence, or to crush it by suitable action. Strengthen the laws, supply the means; and if the executive fails

to perform his duties fully, under all circumstances, then let him stand condemned as a criminal himself before the civilized world.

Respectfully,

J. S. HOGG,

Governor of Texas.

Now, I think I have perpetuated a message of a governor of a great state as though I'd nailed it on Mt. Parnassus.

Who knows, but in that Utopia dreamed of, when the English tongue is dead, that some school boy may not be called on to translate some parts of this little book, and Grogan (his teacher) will say to him:

"Elolilus, what do you get out of that governor's phillippic, any way?"

"May I answer you sir, by using a quotation from that great English dramatist," asks Elolilus.

"Yes, if it be not too long," is Grogan's reply.

Then Elolilus says:

"Much ado about nothing."

"You will be a statesman," replies Grogan.

"May I ask you sir, what you think about the justice there was in burning that fellow for his crime? We can certainly have no bias," said Elolilus.

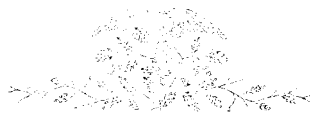
"I think the people did him just right. He graciously got only that he deserved. When you read Hemp's translation of Bishop, the great criminal law writer, you will discover that it took a deal of backbone to do it. Backbone is an English verb, very expressive of my meaning there. Its root lies in *verta-bre*, and since evolution is so well understood now-

a-days, you ought to comprehend me broadly, when I say backbone."

But, render pardon me, the digression. *Revenons a mon sujet*

If the governor, in his billingsgate about the "riff-raff, lounging, lawless element," as mob leaders, meant to refer to those who took an active part in the execution of the baby-ravisher, doubtless he is, as usual, (as my attorney says) in error; else what I have always been taught, is honorable, upright, moral-bravery, industry and law-abiding, in a citizen, is not so, and their contraries constitute the noblest work of God." Had Aristander read this message he never would have said "A seal is never put upon a thing that is empty."

Let us be just. Cromwell has one redeeming quality. He is not a coward, like Augustus was. He sallies forth, even without his shield, as Alexander did in battle. If he would, when convinced of his errors, go forth and uproot the hardy plant which flourishes in the nooks of his administrations, he might yet retrieve that which I believe he never will.



CHAPTER FIFTH.

THE VERDICT HAS BEEN RENDERED—IT IS:

“NOT GUILTY.”

“When the theme is great, 'tis easy to excel.”—Experience.

“He that is not for us is against us.” (scripture) unless, indeed, he be a crafty politician, and then, in that case, he is on the fence, and it would be hazarding perjury to swear on which side he'd fall.—SMITH.

Pardon one more quotation

“Is character valuable? On this point I will not insult you with argument. * * * * It is not in the soul of man to bear the lacerations of slander.”—

GURNEY.

After the burning of Smith, the baby murderer, no one was flung into jail. Up to date, February the 28th, the last day of the month, no one has been arrested for the novel manner they chose to exercise in Smith's execution. It is more than probable no one ever will be. If one should be, I doubt if there would be left one stone upon another of the house of his incarceration longer than such fact was generally known.

That is our view of the matter.

It is probably not far wrong.

While upon parole of honor, awaiting the verdict to be rendered by all mankind, who were not ruled out

upon the grounds of their bias, or attainder, or not up to the standard of peership, I went back to the beginning and wrote the facts as you find them in the first and second chapters.

I felt constrained that the facts of the crime should be put in shape, as upon stone or brass, which led to the burning of the rapist of a babe, in order that his sympathizers might be confronted with a higher grade of evidence than *hearsay*, or *tradition*, if at any time they dared to rise up with the intention of martyring the fiend and stigmatizing those who burnt him for ravishing a three-year-old child to death, to glut revenge!

A month has transpired, which has given time for all returns from all parts of the world to come in that are going to come.

It is a fact, as we discover from said returns now in, that the farther this startling affair traveled, the more minified became the facts of the crime, and the greater, or more magnified the horrors of its punishment, until reaching such men as Julian (not a lineal descendant of the great apostate) Hawthorne, when the crime was lost sight of; unless it was thought of only, as he says: "Perhaps, the perpetrator thought of it—as a *practical joke*." But he and his ilk, fairly howl and tear their hair at the torture and burning of the incarnate fiend and baby ravisher!

Every woman who ever gave birth to a female child should spit upon the memory of such men.

I must not overlook that *good* man, the editor of the *Planet*, Richmond, Va. I know he must be a great

casuist in his precinct. I know he pulls down his phiz of Sundays in the amen corner of some church (Isca-riot had a long face) and groans for the depravity of the world—especially for Texas—"of Sundays." Pub-lican? Yes, Lord, let his prayer be answered, for we Texans, who burn fiends who steal and rape babes, do not want to steal a victory—we want to go down and knock upon the portal of the tomb to heaven, and not be snatched up as Elijah was—as this editor "may be." He is *too* good even for Jesus to inspire out here as a missionary to lecture us upon the trivial and insignifi- cant sin of baby ravishment and murder, and upon the unpardonable sin of burning the fiend, caught red- handed in the crime. Indeed he is! There are Romans still on the earth, and on this planet still there are Cretans, aye, cretins; and according to some philoso- phy, too many rapists who were given the "wafer" of redemption in Glory. Did you ever think about it? How embarrassing it would be, even in heaven, for the ravisher and murderer to meet the ravished and mur- dered one? Would he not look to see if his hand was not yet incarnadine? Wouldn't he sneak into hell? Methinks he would.

Another feature of the matter which distance has distorted through the lenses of inexorable malice and inexcusable ignorance, is viz: Race trouble. Race had nothing to do with it. The "nigger" who com- mitted the crime as a "practical joke," was not a NE- GRO. To that race here in this country, the name of the fiend is pairah. Had the criminal been of any other race or color, he would have fared just the same. Had

he been white skinned as the snow's white, and his victim as black as the deepest dyed Ethiope, the same punishment would have been meted out to him. No one will doubt this assertion experimentally.

The colored race joined the hue and cry from the first, were in it to the last, and were faithful in all their demonstrations. One of these bought the coal oil that saturated the fagot.

Had Smith been put in their hands they would have burnt him as he was burnt. Whether the one who spoke voiced the whole, I am unable to say, but that one said when Smith was caught:

"Let us burn the monster, and it will not be thrown at your door that 'it is another outrage upon the negro.'"

The reply was:

"You can have your part in it, but we cannot afford to shirk ours and appear to you as a 'cat's paw' in this matter."

There was no race question in it. Whether what I say is credited or not, the physical facts establish the truth.

We cannot well do without the negro, nor he without us. He harbors no anarchism. His callous hand has never yet, as slave or freeman, thrown a bomb. By his sweat our tables have been made to groan with the substantial and luxuries of life, and he, without a murmur, has fed upon the crumbs that fell therefrom. I have said as much somewhere else, but then, I'll not scratch this: It's truth twice told. He is a superior being to the Leveler of any race, home or foreign born,

who will not work and endeavors by stratagems and dynamite to bring down the industrious, well-to-do.

So much for the old black mama slave who answered my cries and humored my whims—so much for her children, who shielded me from the first hard brunts of life.

* * * *

When the governor's request, backed with \$250, was ignored, which ignoring saved us from pusillanimity, we expected him, as the chief executor and defender of the laws, (if not the faith) to chide, and by and by lay his testy humor to his birth, as Cassius plead to Brutus. But no. He raved as a mad man and "spit upon our garbadines, and called us dogs." Worse: Murderers—Phillipicited us. In the eccentricities and porpoise-like upheavals of his first term, we were not led to anticipate "malignity." Nor did we suspect he could have so maligned us with impunity. Our Cicero was there, and Milo's cause came on to be heard. He got up, (that is our Cicero) he stammered, looked around and sat down undelivered. Perhaps it was Hogg's militia (it was not Pompey's troops) that frowned his Nemesis, and abridged his immortality.

"The theme was great."

He might have excelled.

Let us be fair. He did chip out a pedestal upon which it seemed he intended to rear a statue, with scorn depicted on every lineament, for him who should not only malign his constituents, but even in the most ruthless manner upbraided the sacred ashes of his loved dead.

His chisel failed him.

Shall he not now cry:

"Oh Cannae, Cannae!"

The other guardian of our liberties, and too, our characters, was not present, he says, when the governor set his hob-nailed boot down upon us. He does not say he was absent, sick, but he was. Nor do we believe, if he had been well, and in the legislative hall at the time these charges were made, that he would have played us by tying an annointed rag about his neck and throat, as Demosthenes played Athenians.

Somebody should have been there who only aspires to the temple of fame by uncircuitous routes, and said to the charge of MOB, MURDER, ETC.

"Lord Angus, thou hast lied."

Is it discourteous to allow one's language to exceed discretion to that degree in speaking of the governor of one's state in his public acts, as one might speak with impunity to one upon the same unofficered plane?

We have been goaded to it, and unless by our silence or more discreet language we confess to being descendants of trammelled serfs, who glean the fields of others, we must, and will, and do, rise up, sustained by truth and justice, in declaring that the charge is untrue and unjust; and we cast at his feet the gauntlet. Let him take it up. There is but one way out of it. That is, retraction. He will never do this. It calls forth great magnanimity to acknowledge a great error.

What casuists some people try to be. Hypocrisy is but another name for it. If,

"Amidst seditions waves,
The worst of mortals may emerge to honor,"

to what, then, over the bowed heads of a people so terribly visited, "whose misfortunes have not come single," doth that man aspire when he attempts to add humiliation to wrong?—slander to vindictive vituperation? "Have we not received those blows?"

Well, when the smoke has cleared away, we will see who has fallen in the slaughter.

* * * * *

Friends, there is one truth that lies at the bottom of this whole affair. What is that? It has fallen to our lot to be placed in the brunt of the battle of life in this government. We are the helots, the wood-hewers and water-drawers. Out under the occident toward the Pacific slope our road has been anything but pacific. It has been a rough one. We have built the pyramid of our own unappreciated struggles. To the government we have been what the Boeotians were to the emissaries of Rome. We have lugged the bag upon our stoopened shoulders, and for submission have been kicked. What have we ever asked for, that we ever got? For bread, a stone. We have been led to the shambles in the endeavor to be loyal and law-abiding. We have hired and paid enormously for every civilizing, every modernizing advancement and comfort which we possess. We have pressed forward and reclaimed from barrenness and darkness, domain which adds to the wealth of the nation. Where it was a desert we

have made fields that wave and ripen with grain; where a howling wilderness, an oasis. We have built churches and schools at the gates of our homes. In everything we have submitted and if we have murmured, we have not rebelled. Along our northern border the government has projected a reservation for the savage and fostered a hot-bed of crime. For every outrage perpetrated by these wards of Uncle Sam, upon the settlements of industry, the government has rewarded it by issuing more powder and blankets. Along our western border the Mexican greaser marauds, murders, burns, steals, and terrorizes, and the government winks at it. It has larger fish to fry. It is becoming enervated as eunuched Byzantium. Insidious to stalking crime encroaches upon us. The exigencies of the law to which we have looked to ensnare his feet is puerile and indifferent. But yesterday a yeoman was shot and killed at his plow. No arrest has been made. Last week an aged housewife, in the absence of her husband, was outraged. The culprit awaits his trial in jail. Ten to one if he is not lynched he will escape punishment. To-day a man's child three years old, is kidnapped from its gate and outraged to death by a swarty monster to glut revenge. Don't you see how the pressure comes? Don't you see how hard it bears? Humanity can bear just so much. If it could bear the outrage of the crime which has led to these lines, it would be a misshapen monster, the incubus of nature with the blinking eyes of the dog that feeds upon its own vomit.

* * * *

I had intended in the beginning hours of this history of Henry Smith's crime and its punishment, to append the expressions, or some of the expressions of commendation and condemnation (for I know there would be both), gathered from the newspapers. With this view I had friends or acquaintances in Chicago, New York, Atlanta, and some other places of note in the United States, watching and clipping and sending me. For these I thank those gentlemen very much, although I now see to use them would swell this book beyond my intention in size, or ability to have published. Again, to select those expressions of approval as the wheat from the chaff, would be unfair; and yet, in the main, where the crime was not unknown (as I believe it was and is in many places) or lost sight of, the responses were: "Well done." Or: "He deserved all he got." "It was just," some said. Some men like Mr. Halford, private secretary to President Harrison, said: "Had it been mine (meaning the child) as it was thine;" —(then he poured out the soul of a man which would not desert a friend in the hour of calamity) "or my neighbor's child, I do not know but I would have done as they did." This is the substance.

I do not suppose there has been any paper worth reading, so exalted, or worth reading, so insignificant which has not said more or less about the affair, and the most insignificant ones have said the most. Some howled like Dervishes while others applauded like men. The secular press, and the sectarian have been charitable as per their talents and broadness. As per their ignorance and narrowness they have assumed the

pomposity and phiz of the Publican. Of course they prayed. Heaven grant their prayers were answered, we pray; for, rather than be like them, I'd sooner be "a dog and bay the moon."

When thinking of appending as before stated, from hearsay, I had thought to use Julian Hawthorne's letter written February 4th, three days after the burning. But upon reading that article with all the charity enjoined upon me by the Golden Rule, I do now declare I would as soon stain the character of my child by calumny, as to stain the purity of the facts and acts herein set forth—the purity of *rape*! the purity of *torture* therefor!—and the untarnished thoughts thereupon of the whole affair by appending as an opinion that letter! There is no dirtier ink tracing dirtier thoughts upon paper. Their grim, foul, and libelous visages peer out of every sentence in said letter. They are the barking whelps, "rape-begotten," upon the sorceress of Hell.

His hypothesis of the degradation of the negro, as I have shown by human experience and philosophy is false, and as I do declare here knowingly so—conjured up from gangrenous malice. For a being claiming to be human, to say, to think that, humanity was capable of raping a babe to death as perhaps a "*practical joke*," thereby insinuating that it was capable of sinking deeper still in the intent or commission of crime, than the ravishment to death of a babe, is calumniating his Creator.

I believe what I say here will outlive those characters of his brain depicted in his works of fiction by

which he was to be remembered; even though they are transmuted from dead to living tongues; and I believe these lines will be as the flaming swords upon the tree growing in the sanctified precincts of Truth and Decency into whose portals they will never permit his memory to enter. In ink he has blasphemed God in order to stain men and women whose purity scorches the earth upon which his leprous feet hath made indelible tracks pointing the course the calumniator crawls. I scorch to think of him who can think so basely.

Before we write FINIS, let us suppose (for we may suppose anything possible except the repetition of the crime herein related) that there will be born sooner or later another poet who will sing of Perdition as Dante has. It does not matter when he comes, so that his theme is awful, and thus his strain, and thus he writes:

CANTO III.

Now, in gloom of place, and tho't, I stood, high
 'Pon a cindered promontory, embrowning
 Styx's mirky ebulations. Dreadful they
 Rolled, darkling between deep scoria banks,
 And the farther shore lost in utter night.
 Nor verdure, nor waving forest, this side
 The sulphurous crater—Hell's vent, Vesuvius.
 High, black, blasted peaks on either hand
 Rose 'long the long begloom'd hellway;
 And not rising further as guide posts,
 Paus'd like blasted hopes and shot their frowns
 Of dread and desolation, deep into
 Hades' seven-fold waters. My guide, sad,

In recumbent posture, near the grotto
Of Oceanus' daughter lay. Styx, nox-eyed
Gorgon, shrank unpow'rd the why we came.
Ever and anon, deep purgative thunders
Roll'd from far, as from the inertia of
The infernal Acheron. And rocks
Did tremble, and the stygian waters heav'd,
And madly lashed 'pon their bleak confines.
Yet, while in awe I stood, yet while the shade
Of Milton recumbent lay, eyes lift'd
Toward the rayless dome, the which to no
Horizon bent—'twas thus I, 'twas thus he,
When there came stumbling to the scene one
On burnt, bleeding stumps, 'long the flinty road;
The whence lay thro' pitchy nox from Hell.
The thence, 'cross the smoking mainstrom 'bove
Whose lee-shore Hell's convulsions glint'd:
The infernal arena, to which
His, the raptur'd eyes that what once light lay
Its splendor to the lower stand now,
Now swam in bitter lachrymal springs.
Those dark and bright unbreathed orbs. Hence he
Some one must lead for eye; if it might be
Said leading, as hideous thing—blear-eyed,
And forl protruding tongue—hell-thirst'd,
Groping before the blind monstrosity:—
This charred stump, once human shape in height,
Breadth, weight, yet in all things else shapeless
As the shrunken fetus of abort'd woe.
He the one, and only one of earth (if
Not of hell from first) who ravish'd babes.

The one leading—the groping lynx-eyed
He-gorgon, eunuch'd of chaste fame, renown'd
In blasphemy, in calumny renown'd,
He who tho't ravishment, “a joke might be!”
At such sight, had not my feet cleav'd hard
To hell's rock, I would have flown. My guide,
Quick seeing my affright, came as quick
And stood 'long side of me. He said:
“Junii, fear not. The one on burnt stumps
Cicitrizing from Promethean fire
Hurtl'd no man. On earth he rap'd babes.
The other, in thought, *malice prepense*, stoop'd
To crime beyond babe-ravishment! Nameless!
To hell, blind, and thirsted, they wait Charon.
And comes the infernal craft toss'd 'pon the
Infernal tide. On the cleaving prow sits
Satan, while old Charon pulls to shore.
See how the lanky waves eddy round
The cleaving beak, and the winding oar!
‘Slow, son of Nox,’ growl'd Satan, then roaring:
‘Hold! hold! thou infernal oarsman,
Let not this prow touch on yonder beach
Where there'pon loom those miserable outcasts.’
To stay the barque so it proce'd not on,
Nor away recede toward its coming
Nor shift sidelong with the turg'd tide;
As an oak, it bent the shew'd frame of
Charon, and 'long the unsleev'd arm, the veins,
And 'cross his dark majestic brow like whip-cords
Stood, so strong the tide, and so slaving he.
Now Satan rais'd his unbent, stately form,

And stood like none but haughty Satan's self
Upon the prow of hell's ferry-boat;
Indignant! Miserable! Awhile in mute,
And sullen wrath, and trembling with ire,
Hell's monarch survey'd hell's leeward scenes,
Most forgotten, but now vivid return'd.
Anon, lowering his lurid eyes from out
Those loftier scenes, those shadowy peaks
In gloom enrooted, high the dunest gloom piercing,
He shot a glance full on the twain outcasts
The which powerless fell, the which astound'd him.
Thus enrag'd, high and harsh his speech
Broke above the rumbling of hellquakes, and
Clear. He said: 'From whence thou grizzly terrors?
Thou seemest more than damn'd! Who art thou?'
The tongued one: "Satan know yet not us?
Such at heaven's clos'd gates: 'I know ye not,'
Were the greetings there, or hootings." Then Satan:
"Yea, I know ye; all hell knows ye. Ye both
Aspir'd on earth higher than I in heaven.
Of such sins I had not dream'd in hell.
Thou earth-burnt and thou his *vade mecum*
Avaunt. Out of earth the one flail'd by fire,
Both by God disown'd. I forbid thee hell."
The tongued one: "And is it so that ——— "

FINIS.

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HOME RULE,

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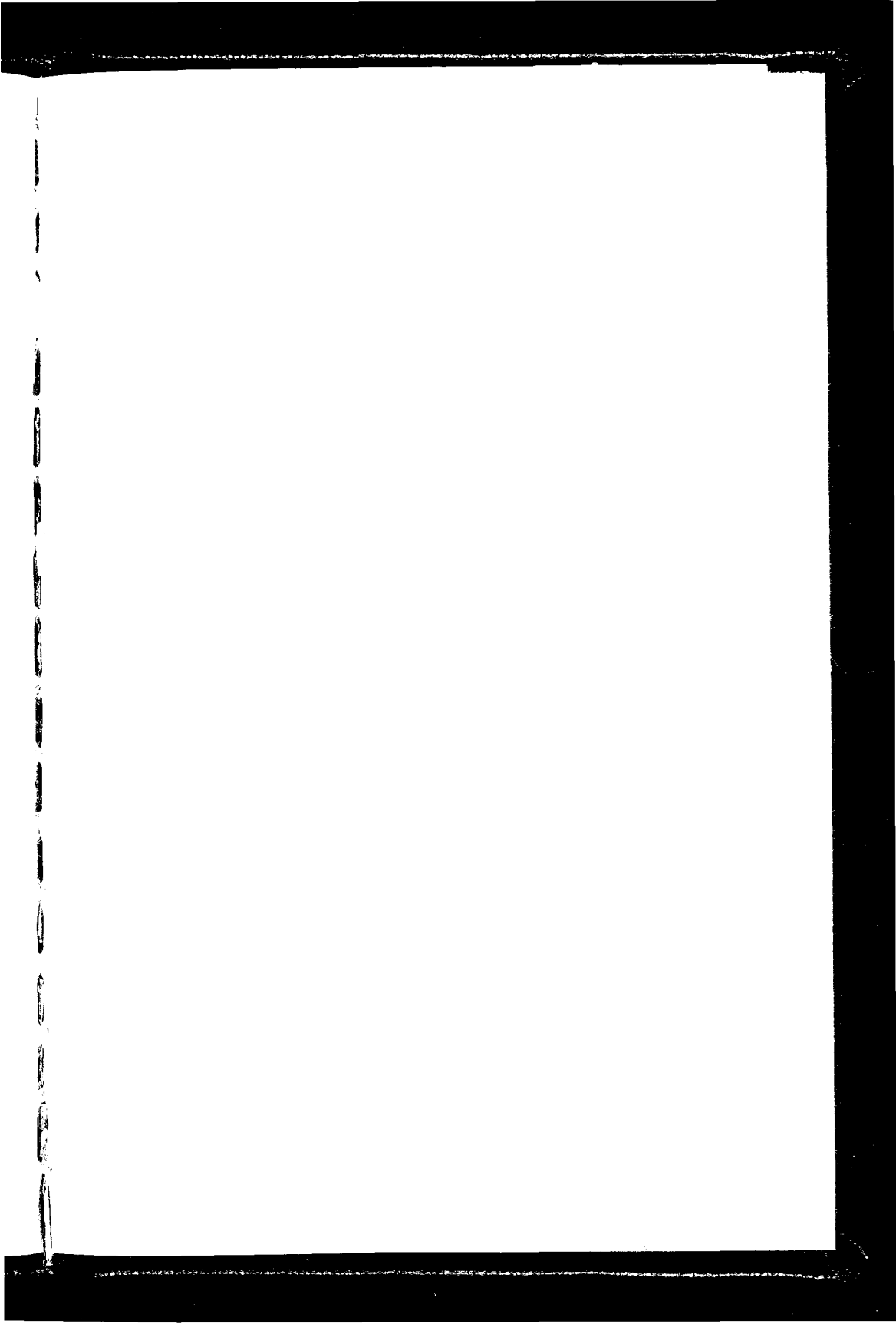
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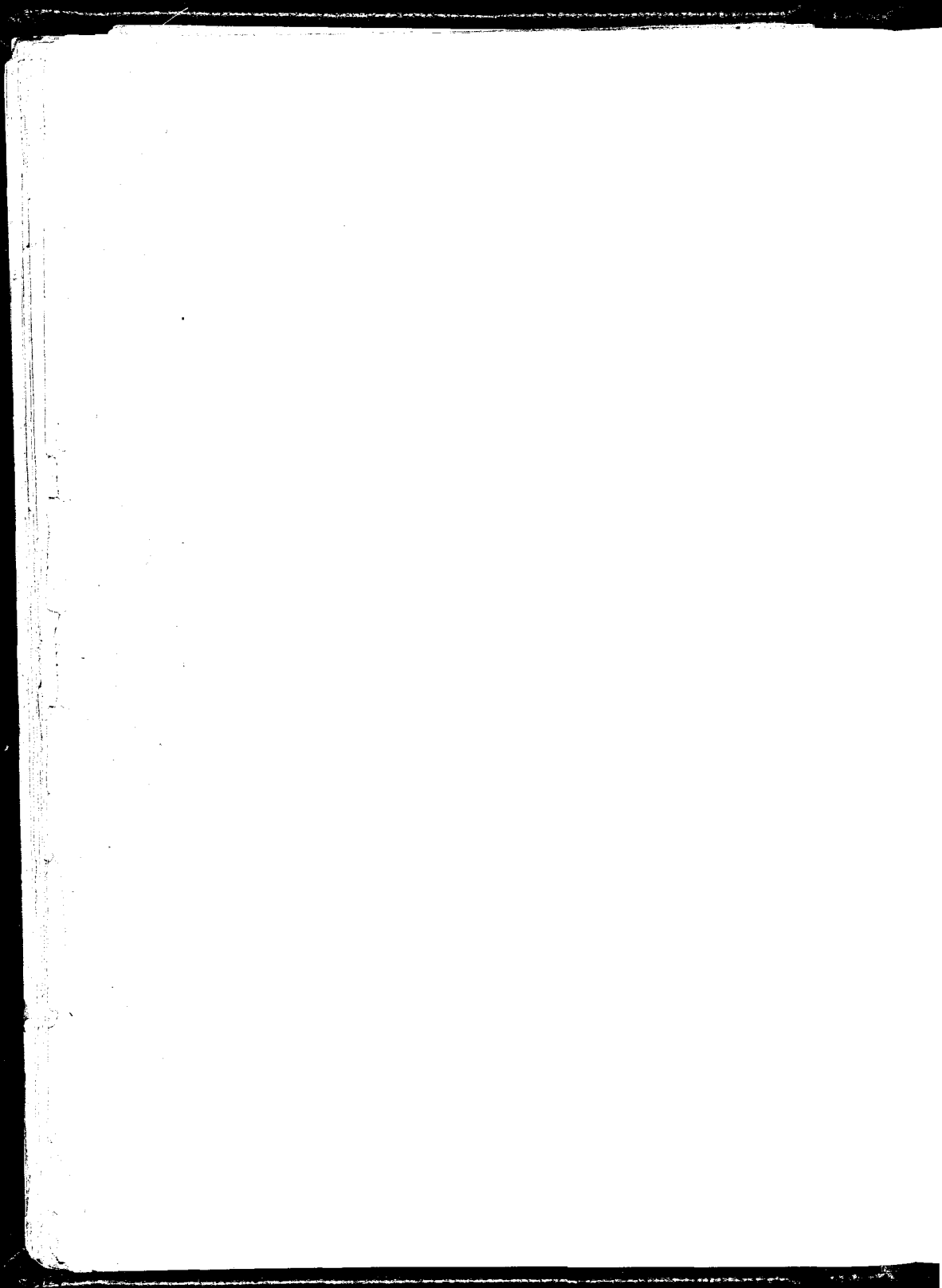
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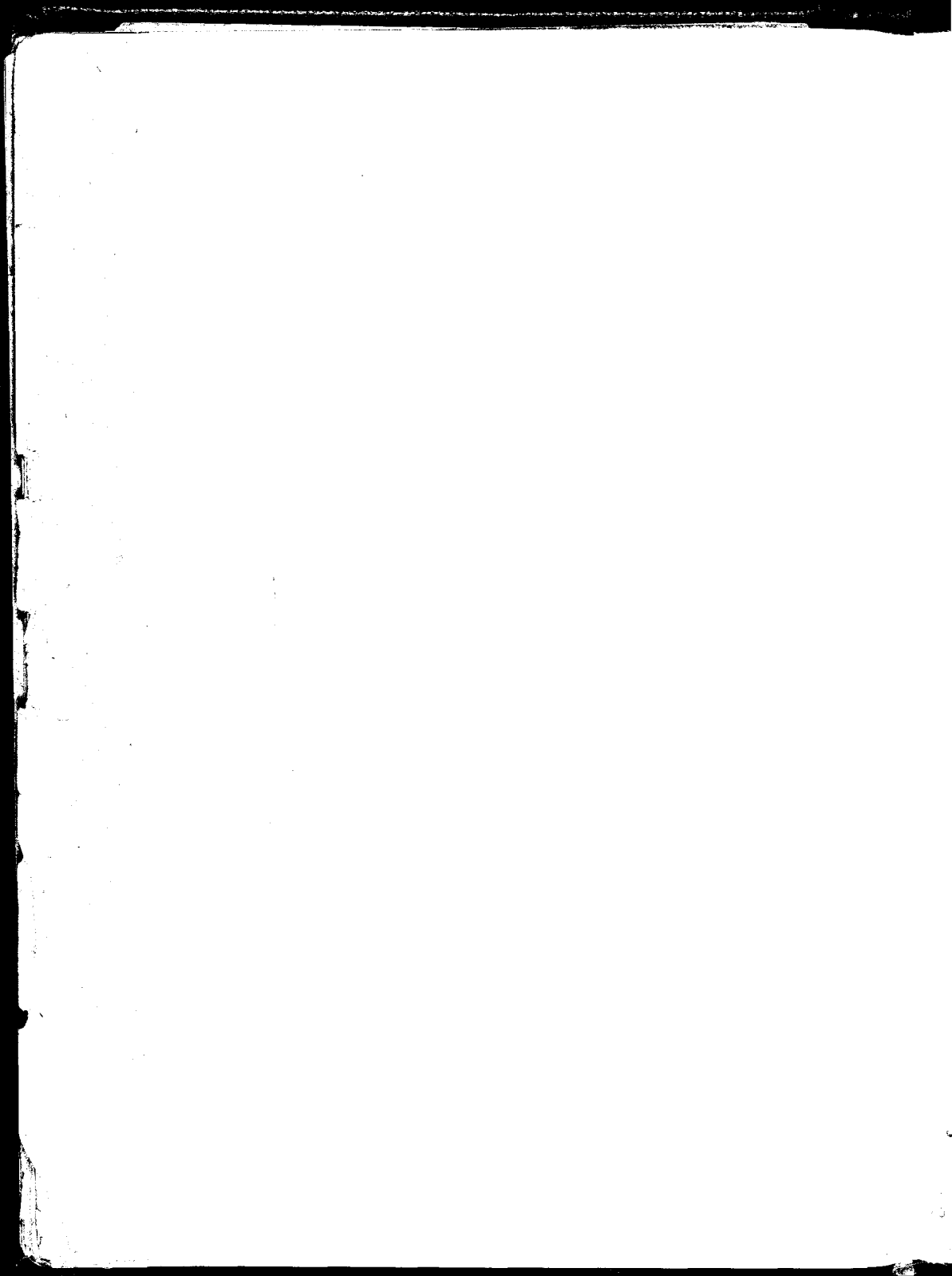
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